

Department of Public Safety - Commonwealth of Massachusetts

One Ashburton Place – Boston – MA 02108
Board of Elevator Regulations – Hearings
Minutes – December 4, 2012

PRESENT:

John Caughey, Chair
Kevin McGettigan, Member
Harold McGonagle, Member

David Gaudet, Member
Michael Nicoloro, Member
Deborah Ho, Program Coordinator, DPS

John O'Donoghue, Member
Walter Zalenski, Member, DPS

ABSENT/EXCUSED

John Otis, Member

- I. Meeting is called to order by John Caughey at 12:30PM introduction of the board members – a quorum is present; - Review minutes for November 27, 2012 – motion has been put forth by Walter Zalenski to approved the minutes – seconded by John O'Donoghue – vote: 6-2 approved – Harold McGonagle entered by 1:30pm absent: John Otis

II. Octagon Properties – for 833 Beacon St – Boston – 1-P-8312

Jay Edwards, Delta-Beckwith

John Zorzovello, Octagon Properties

David Lapidus, Octagon Properties

Exhibit 1 – Photograph – one (1)

The Petitioner is seeking a variance from 524 CMR to allow the use of a product of similar properties in place of the PVC during replacement of hydraulic jack – the liner is designed to meet ASME A17.1 2007/CSA B4407 safety code requirements for use on new construction or on modernization projects where replacement of the existing hydraulic is required – John Caughey has been recused - a motion has been put forth by John O'Donoghue to grant the variance as requested for an existing installation

Motioned: John O'Donoghue

Seconded: David Gaudet

Vote: 5-1-2 – Variance granted; Abstained - John Caughey

Absent: John Otis, Harold McGonagle

III. Deluca Market - 15 Charles St – Boston – New installation

Virgil Aiello

Exhibit 1 – Elevator Plans

The Petitioner is seeking a variance to allow a 14" pit depth due to high level of ground water – to install a LULA – the LULA will be use for the public – a motion has been put forth by John O'Donoghue to grant the variance with provisions – post a "No Freight Allowed" signage for shallow pit on the toe guard and pit prop – install with interrupting a stop switch

Motioned: John O'Donoghue

Seconded: David Gaudet

Vote: 6-2 – Variance granted

Absent: John Otis, Harold McGonagle

IV. The Clarendon – 400 Stuart St – Boston – Elevator 4 & 5

Hassan Afzal, Beal Company

Mary Choi, Otis Elevator

Exhibit 1 – Brochure

The Petitioner is seeking a variance to install a Roxul product on the ceiling of the machine room of the elevators – this will reduce the noise emanating from the machine room – John Caughey has been recused - the product is fire resistant and can act as a fire barrier – a motion has been put forth by John O'Donoghue to grant the variance as requested

Motioned: John O'Donoghue

Seconded: Walter Zalenski

Vote: 5-1-2 – Variance granted; Abstained - John Caughey

Absent: John Otis, Harold McGonagle

V. Massport – Logan Airport CT 1 – Control Tower – E Boston – 1-P-5020

Joseph Kelly, Otis Elevator

Exhibit 1 – Control Tower plans

The Petitioner is seeking a variance based in the Inspector's report with wiring in the machine room – the wires belong to the communication line which has been in the machine room, which it would be too difficult to remove – also, new air handlers were installed and request that they be allowed as is and no further barricading be required – a motion has been put forth by David Gaudet to grant the variance to allow air handler and existing communication wiring to remain with provisions that adequate signage on all equipment

Motioned: David Gaudet

Seconded: Kevin McGettigan

Vote: 6-2 – Variance granted

Absent: John Otis, Harold McGonagle

VI. Restoration Hardware – 234 Berkeley St – Boston

Joseph Stein, Restoration Hardware

Janet Moore, Syska Hennessy

Linda Buckley, BBE Elevator

Anthony Di Feo, Bergmeyer Associates, Inc.

Gene Piermattei

Exhibit 1 - Architect Plans – 1 set

The Petitioner is seeking a variance – 524 CMR 2.7.3.3.2 – Vertical ladder with handgrips shall be permitted to be used to access from building floors to machinery space – a retractable ladder shall be permanently attached to the exterior of the elevator at top landing – a hooked bar locked in the machine room, will be accessible to licensed elevator personnel to access the ladder – a motion has been put forth by Kevin McGettigan to grant the variance as requested provided a security cut-off switch is installed on the ladder to shut off elevator when ladder is engaged

Motioned: Kevin McGettigan

Seconded: David Gaudet

Vote: 7-1 – Variance granted

Absent: John Otis

VII. Oak n Spice – 190 Meadow St – South Lee – 150-W-26

Cindy Coach, Oak n Spice

David Dean, Schindler Elevator

The Petitioner is seeking relief – due to the nature of the wheelchair lift; it is self contained, self enclosed unit. The unit has passed inspection on previous years since it was installed in 2001 and the code has not changed since 2001 and the code has not changed since it was installed – a motion has been put forth by David Gaudet to grant the variance as requested for car clearance

Motioned: David Gaudet
Seconded: Kevin McGettigan
Vote: 6-1-1– Variance granted – opposed – John O’Donoghue
Absent: John Otis

VIII. Harvard Medical School – 180 Longwood Ave – Boston – 1-P-8812

Nathan Eposito, Schindler Elevator

Janet Moore, Syska Hennessy

John Martell, Harvard Medical School

The Petitioner is seeking a variance from the PVC requirement and supply a flexible PVC liner know as “Jack It”; as manufactured by Laird Plastic. The cost to remove the existing casing and drill a new hole is prohibitive and the “Jack It” will allow the owner to make improvements to the elevator system while still protecting the new jack from corrosion – a motion has been put forth by David Gaudet to grant the variance as requested for “Jack It” installation on existing double bottom cylinder replacement

Motioned: David Gaudet
Seconded: Kevin McGettigan
Vote: 6-2 – Variance granted
Absent: John Otis, Harold McGonagle

IX. Old/New Business

ThyssenKrupp Elevator – Governor Ropes – 8mm ropes in lieu of 9.5mm minimum

319 A Street – Boston, Elevator 1 & 2 120 Kingston St – Boston, 537 East First St – Boston, 11 W Broadway – S Boston – information received

A motion has been put forth by John O’Donoghue to grant the variance for the Synergy product to be installed 5’ 8” ropes

Motioned: John O’Donoghue
Seconded: Michael Nicoloro
Vote: 7-1 – Variance granted
Absent: John Otis

231-233 Mass Ave – Arlington

A motion has been put forth by Kevin McGettigan to grant the variance on the MRL guidelines of 18” clearance all sides, 6” governor clearance - – Kevin McGettigan has been on site to observe the installation

Motioned: Kevin McGettigan
Seconded: John O’Donoghue
Vote: 7-1 – Variance granted
Absent: John Otis

Janus Elevator Project – 125 Ricefield Lane – Hauppauge, NY – new touch screen car station

Janus Elevator Project – would like to install touch screen car stations – a motion has been put forth by David Gaudet to deny the variance – seeking more information and must be approved by the Architectural Access Board. Fire Services – Firefighter Equipment

Motioned: David Gaudet
Seconded: Michael Nicoloro
Vote: 6-2 – Variance granted
Absent: John Otis, Harold McGonagle

Boston Center for the Arts – 537 Tremont St – Boston – 1-W-10313, 9173 & 9355

Remove key switch – 524 CMR 32.10 – DPS will contact the Architectural Access Board if information has been provided to the Boston Center for the Arts

Winchendon Furniture – 13 Railroad St – Winchendon – 343-F-16 – Inspector's Report

Elevator has wooden guide rails – wooden crosshead which must be removed by July 1, 2013 – DPS will contact the owners on their final solutions to remove all wood

Brandegee Charitable Foundation – 165 Allandale Rd – Jamaica Plain – 1-P-95

Reclassify bird cage elevator to a VRC – a motion has been put forth by Kevin McGettigan to deny the request – no information from the owners to Architectural Access Board

Motioned: Kevin McGettigan
Seconded: John O'Donoghue
Vote: 6-2 – Variance denied
Absent: John Otis, Harold McGonagle

Oak Street Professional Building – 824 Oak St – Brockton – 44-P-279

Inspector's Report - access to phone room thru elevator machine room, 524 CMR, 170.211 – a motion has been put forth by Kevin McGettigan to grant the variance for 90 days sunset to bring infraction to correct code – based on no information from appellant

Motioned: Kevin McGettigan
Seconded: John O'Donoghue
Vote: 6-2 – Variance denied
Absent: John Otis, Harold McGonagle

Otis Elevator – Gen 2150

Otis Elevator is seeking a variance for the approval of Otis Elevator's low speed traction elevator program – 915 mm (36") toe guard based on stopping distance – refer to minutes from December 20, 2011

Winchester Hospital – 41 Highland Ave – Winchester – 344-P-6 – 17.34 – Inspector's Report

Inspector's report – relocate mainline disconnect to within 18" of the lock jamb side of machine room door – 524 CMR, 17.34 (2) – a motion has been forth by Kevin McGettigan to deny the variance based on no further communication with the appellant – 90 days to comply from December 4, 2012 with cited disconnect issued – must notified the Department of Public Safety when work is completed

Motioned: Kevin McGettigan
Seconded: John O'Donoghue
Vote: 6-2 – Variance denied
Absent: John Otis, Harold McGonagle

Willows at Winchester – 7 Conant Rd – Winchester – 344-P-81, 82, 90 & 96 – Inspector's Report

Inspector's Report – Remove sump pump from machine room – 17.02 3 e – a motion has been put forth by John O'Donoghue to deny toe variance with 90 days sunset to comply due to lack of appellant response – Appellant must provide documentation if not already provided

Motioned: John O'Donoghue
Seconded: Michael Nicoloro
Vote: 6-2 – Variance denied
Absent: John Otis, Harold McGonagle

Massachusetts General Laws – Chapter 143, Section 68 and 524 CMR Section 17.40 (1) (2) EMT

The Department of Public Safety is requesting amending the language –

Discussion on the whether the owner must need to meet code – 521 CMR 28.7 – 524 CMR 17.40 size to remain in original foot print – moving shaft from one location to another - modern day gurney – any newly built hoistway in an existing building with original foot print should meet current codes - 524 CMRR – 17.40(2) – Key Switch – key number for key switch - Key switch – language on key switch will be revised and amended

Submitted by:

Deborah Ho
December 13, 2012